

Gregory L. Diskant (admitted *pro hac vice*)  
Eugene M. Gelernter (admitted *pro hac vice*)  
PATTERSON BELKNAP WEBB & TYLER LLP  
1133 Avenue of the Americas  
New York, NY 10036  
Telephone: (212) 336-2000  
Fax: (212) 336-2222  
E-mail: gldiskant@pbwt.com  
emgelernter@pbwt.com

SUSAN ROEDER (S.B. #160897)  
O'MELVENY & MYERS LLP  
2765 Sand Hill Road  
Menlo Park, CA 94025  
Telephone: (650) 473-2600  
Facsimile: (650) 473-2601  
E-Mail: sroeder@omm.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

LIFESCAN, INC., et al.,

Plaintiffs,

v.

DECISION DIAGNOSTICS CORP., et al.,

Defendants.

Case No. CV11-4494

Case No. CV12-6360

**STIPULATION AND ORDER  
REGARDING COURT-ORDERED  
DEADLINES**

WHEREAS the parties agreed to take the depositions of certain witnesses after the  
January 7, 2016 deadline for fact discovery; and

WHEREAS these witnesses' testimony may be relevant to expert reports concerning the  
Lanham Act claims and Plaintiffs' opposition to Defendants' motion for summary judgment;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
the undersigned counsel for all parties:

STIPULATION AND ORDER  
CASE NO. CV11-4494  
CASE NO. CV12-6360

- 1 1. The deadline for serving affirmative expert reports concerning the Lanham Act claims  
2 is extended from January 14, 2016 through February 1, 2016.
- 3 2. The deadline for serving rebuttal expert reports concerning the Lanham Act claims is  
4 extended from February 18, 2016 through March 7, 2016.
- 5 3. The deadline for Plaintiffs' opposition to Defendants' motion for summary judgment  
6 is extended from January 19, 2016 through January 20, 2016.

7 Respectfully submitted,

8  
9 FOX ROTHSCHILD LLP  
10 /s/ Jeff Grant  
Jeff Grant

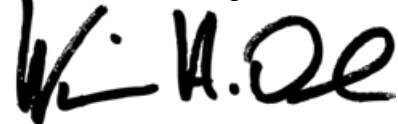
11 *Attorneys for Defendants*

PATTERSON BELKNAP WEBB & TYLER LLP  
12 /s/ Gregory L. Diskant  
Gregory L. Diskant

13 *Attorneys for Plaintiffs*

14 Dated: January 8, 2016

15  
16 Pursuant to the stipulation, IT IS SO ORDERED

17   
18

19 Hon. William H. Orrick  
20 United States District Judge

21 Dated: January 11, 2016